



LOGS Legal Group LLP
Attorneys at Law

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Partners

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Managing Attorney - New Jersey

Kathleen M. Magoon

August 8, 2024

HONORABLE MICHAEL B. KAPLAN
United States Bankruptcy Court
Clarkson S. Fisher US Courthouse
402 East State Street
Trenton, NJ 08608

In Re: Alexis De Jesus, Debtor
Case No: 22-18766-MBK
Chapter: 13
Secured Creditor: Nationstar Mortgage LLC
Our file number: CXE 16-017532

Dear Judge Kaplan:

With regard to the above referenced matter, enclosed please find a copy:

- Creditor's Certification of Default
- Proposed Order Granting Relief from Automatic Stay
- Certification of Service
- Certification of Post-Petition Payment History
- Exhibit - Filed Consent Order Resolving Motion to Vacate Stay

Thank you for your consideration in this matter.

Respectfully submitted,

LOGS LEGAL GROUP LLP

By: /s/Elizabeth L. Wassall
Kathleen M. Magoon - 040682010
Elizabeth L. Wassall - 023211995

Enclosures

cc: Candyce Ilene Smith-Sklar, Attorney for Debtor
Law Offices of Sklar Smith-Sklar
1901 North Olden Avenue
Ewing Professional Park, Suite 22
Ewing, NJ 08618

Albert Russo, Trustee
Standing Chapter 13 Trustee
CN 4853
Trenton, NJ 08650

Alexis De Jesus, Debtor
21 London Drive
Bordentown, NJ 08505

Nydia Ramos, Co-Debtor
21 London Drive
Bordentown, NJ 08505

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

CXE 16-017532
LOGS Legal Group LLP
14000 Commerce Parkway, Suite B
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(856) 793-3080
Elizabeth L. Wassall, Esq. 023211995
ATTORNEYS FOR NATIONSTAR MORTGAGE LLC

In Re:

ALEXIS DE JESUS,
DEBTOR

Case No.: 22-18766-MBK

Judge: HONORABLE MICHAEL B.
KAPLAN

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

ORDER VACATING STAY AND CO-DEBTOR STAY

The relief set forth on the following pages, numbered two (2) through two (2), is hereby **ORDERED**.

Upon the motion of LOGS Legal Group LLP, Attorneys for Nationstar Mortgage LLC under Bankruptcy Code section 362(d) for relief from the Automatic Stay as to certain real property as hereinafter set forth, and for cause shown,

ORDERED that the motion is granted, and the stay is terminated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real property more fully described as:

Lot 11 Block 1502

Commonly known as 21 Landon Drive, Bordentown, New Jersey 08505.

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property as sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that the co-debtor stay under 11 U.S.C. 1301 is vacated as to the co-debtor Nydia Ramos, to permit the movant to pursue its rights in the real property described above.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that the movant shall be permitted to reasonably communicate with Debtor(s) and Debtor(s)' counsel to the extent necessary to comply with applicable non-bankruptcy law.

It is further ORDERED that the Trustee is directed to cease making any further distributions to the Creditor.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

UNITED STATES BANKRUPTCY COURT
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In Re:

ALEXIS DE JESUS,
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Case No.: 22-18766-MBK

Judge: HONORABLE MICHAEL B.
KAPLAN

Chapter: 13

CERTIFICATION OF SERVICE

I, Molly J. Miller the undersigned

1. ☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Kathleen M. Magoon, Esquire and Elizabeth L. Wassall, Esquire, who represents the Secured Creditor in the above-captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On August 8, 2024, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

- Cover Letter
- Certification of Default
- Proposed Order
- Certification of Service
- Certification of Post-Petition Payment History
- Exhibit – Filed Consent Order

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Signature

Dated: August 8, 2024

/s/ Molly J. Miller

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Candyce Ilene Smith-Sklar Law Offices of Sklar Smith-Sklar 1901 North Olden Avenue Ewing Professional Park, Suite 22 Ewing, NJ 08618		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Alexis De Jesus 21 London Drive Bordentown, NJ 08505		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Nydia Ramos 21 London Drive Bordentown, NJ 08505		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.

UNITED STATES BANKRUPTCY COURT
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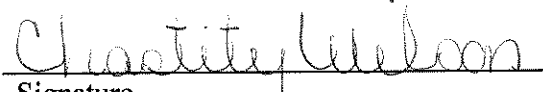
CREDITOR'S CERTIFICATION OF DEFAULT

Chastity Wilson certifies as follows:

1. I am a Assistant Secretary for Nationstar Mortgage LLC, a secured creditor of the debtor.
2. On April 13, 2023, an Order was entered, a copy of which is attached as Exhibit "A", providing for the cure of post-petition arrearages, and in default of such monthly payments for a 30-day period, allowing the secured creditor relief to vacate the stay, with notice to the trustee, debtor and his attorney, if any.
3. As of July 29, 2024, Debtor has failed to comply with the Order by missing payments and/or by failing to make the correct payments as summarized on the attached Certification of Creditor Regarding Post Petition Payment History.
4. This certification is being made in an effort to enforce the prior Order of this Court and to vacate the stay.

5. Acceptance of partial payments will not constitute a waiver of Secured Creditor's rights to pursue the default in the event the partial payments are not enough to cure the entire default.
6. I certify under penalty of perjury that the above is true.

Date: August 6, 2024


Signature
Charity Wilson
Assistant Secretary of
Nationstar Mortgage LLC
Affiant

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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**CERTIFICATION OF CREDITOR REGARDING POST-PETITION PAYMENT HISTORY
(NOTE AND MORTGAGE DATED FEBRUARY 19, 2008)**

Chastity Wilson, employed as Assistant Secretary by

Nationstar Mortgage, LLC, hereby certifies the following:

Recorded on March 6, 2008, in Burlington County, in Book 11717, Page 256.

Property Address: 21 Landon Drive, Bordentown, NJ 08505

Mortgage Holder: Nationstar Mortgage LLC

Mortgagor(s): Alexis DeJesus and Nydia Ramos

POST-PETITION PAYMENTS (Petition filed November 3, 2022) (Consent Order entered April 13, 2023)

Date	Amount Received	Applied To	Post Petition Amount Due	Cure payment	Post Suspense Balance
					\$ -
					\$ -
AO Entered 04.13.23					\$ -
04/17/23	\$ 2,000.00				\$ 2,000.00
05/22/23	\$ 2,000.00	04/01/23	\$ 2,385.29		\$ 1,614.71
06/12/23					\$ 1,614.71
07/10/23	\$ 2,000.00	05/01/23	\$ 2,484.63		\$ 1,130.08
07/11/23					\$ 1,130.08
07/21/23	\$ 5,900.00	06/01/23	\$ 2,484.63		\$ 4,545.45
07/24/23		07/01/23	\$ 2,484.63		\$ 2,060.82
07/24/23					\$ 2,060.82
09/18/23	\$ 1,500.00	08/01/23	\$ 2,484.63		\$ 1,076.19
09/19/23					\$ 1,076.19
10/31/23	\$ 2,204.92	09/01/23	\$ 2,484.63		\$ 796.48
11/09/23					\$ 796.48
12/21/23	\$ 2,500.01	10/01/23	\$ 2,436.23		\$ 860.26
12/21/23	\$ 2,500.00	11/01/23	\$ 2,436.23		\$ 924.03
01/10/24					\$ 924.03
01/10/24					\$ 924.03
02/20/24	\$ 2,800.00	12/01/23	\$ 2,436.23		\$ 1,287.80
03/21/24	\$ 4,000.00	01/01/24	\$ 2,436.23		\$ 2,851.57
		02/01/24	\$ 2,436.23		\$ 415.34
3/29/2024	\$ 2,400.00	03/01/24	\$ 2,457.08		\$ 358.26
04/16/24	\$ 2,500.00	04/01/24	\$ 2,468.50		\$ 389.76
					\$ 389.76
06/13/24	\$ 2,500.00	05/01/24	\$ 2,468.50		\$ 421.26

Monthly payments past due: 2 mos. x \$2,468.50

(Monthly payments *minus total suspense* \$421.26) = **\$4,515.74** as of July 29, 2024.

Each monthly payment is comprised of:

Principal & Interest:	\$	<u>1,603.73</u>
Escrow:	\$	<u>864.77</u>
TOTAL	\$	<u>2,468.50</u>

I certify under penalty of perjury that the above is true.

Date: August 6, 2024


Signature
Chastity Wilson
Assistant Secretary of
National Mortgage LLC
Affiant

EXHIBIT

A

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Document

Page 1 of 2



Order Filed on April 13, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-1(b)

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ATTORNEYS FOR NATIONSTAR MORTGAGE LLC

In Re:

ALEXIS DE JESUS,
DEBTOR

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Judge: HONORABLE MICHAEL B.
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CONSENT ORDER RESOLVING MOTION TO VACATE AUTOMATIC STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

DATED: April 13, 2023


Honorable Michael B. Kaplan
United States Bankruptcy Judge

This matter being opened to the Court by LOGS Legal Group LLP, Attorneys for Nationstar Mortgage LLC, hereinafter "Secured Creditor", upon the filing of a Notice of Motion for an Order Vacating Stay in a Chapter 13 Case for failure of the Debtor to make post-petition payments on a mortgage obligation, and due notice of said Motion and the supporting Certification having been given to the Trustee, the Debtor and the attorney for the Debtor, if any AND CONSENT OF THE PARTIES APPEARING HEREON and for good cause shown,

1. As of March 6, 2023, Debtor is delinquent in post-petition payments for the months of December 1, 2022 through and including March 1, 2023 in the amount of \$2,385.29 each, for a total post-petition delinquency amount of \$9,541.16 due to the Secured Creditor.
2. Debtor agrees to capitalize the post-petition delinquency of \$9,541.16, as outlined in Paragraph one (1) above, to be paid through the remaining Chapter 13 Plan. *The Trustee shall amend his/her records to reflect same and shall set up on the Trustee's ledger.* The Debtor shall file a Modified Plan within fourteen (14) days of entry of this Consent Order to fund this capitalization of post-petition arrears, *or the case will be dismissed upon motion of the Trustee, with notice to Debtor and Debtor's Counsel.*
3. Starting April 1, 2023, Debtor shall also maintain all contractually due post-petition payments, which currently amount to \$2,385.29 monthly, directly to Secured Creditor.
4. Debtor shall reimburse Secured Creditor \$1,050.00 in attorney fees and \$188.00 in attorney costs through their Chapter 13 Plan of Reorganization. *The Trustee shall amend his/her records to reflect same and shall set up on the Trustee's ledger.*
5. If the Debtor fails to make any payments detailed in this Consent Order within thirty (30) days of the date the payments are due, or if any of the funds paid fail to clear for insufficient funds or are dishonored for any reason, then the Secured Creditor may send Debtor and Debtor's Counsel a written notice of default of this Consent Order. If the default is not cured within ten (10) days of such notice, Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by submitting a Certification of Default to the Bankruptcy Court, specifying the Debtor's failure to comply with this Consent Order, with a copy of any application, supporting certification, and proposed Order to be served on the Chapter 13 Standing Trustee, Debtor's Counsel and Debtor as required by the local bankruptcy rules.
6. In the event the instant bankruptcy proceeding is dismissed, discharged or converts, this Consent Order shall be terminated and have no further force or effect.

We hereby consent to the form, content,
and entry of the within Order.

LOGS Legal Group LLP

/s/Elizabeth L. Wassall

Elizabeth L. Wassall, Esquire
Attorney for the Secured Creditor

Date: 4-10-2023

Candyce Ilene Smith-Sklar

Candyce Ilene Smith-Sklar, Esquire
Attorney for the Debtor

Date: 4/7/23